

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Kate, et al.

Plaintiffs,

vs.

de Blasio, et al.

Defendants.

**DECLARATION OF  
SUJATA S. GIBSON**

Civil Action No. 1:21-cv-07863

STATE OF NEW YORK )  
                          )  
                          ss.:  
COUNTY OF TOMPKINS )

**SUJATA GIBSON**, an attorney admitted *pro hac vice* to practice before this Court, declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am the attorney for the Plaintiffs and am fully familiar with the facts and circumstances of this case.
2. I make this declaration in support of Plaintiffs' motion for a TRO and preliminary injunction.
3. My clients elected to prepare and file this TRO over the weekend after other litigation (on broader grounds) was denied. I have not had a chance to discuss it with opposing counsel, but I will email a copy of all papers to counsel for all parties as soon as I have filed.
4. The relief sought is urgent. Upon information and belief, 15,000 teachers and staff in the New York City Public School System will be fired and suspended today

without relief. NYC DOE serves over one million children. They will be denied essential services and programming if this mass termination occurs.

5. Attached hereto as **Exhibit 1** is a true and accurate copy of the preliminary injunction issued by the Second Circuit Court of Appeals in *We the Patriots v. Hochul* on September 30, 2021.
6. Attached hereto as **Exhibit 2** is a true and accurate copy of the DOE Vaccine Mandate issued August 24, 2021.
7. Attached hereto as **Exhibit 3** is a true and accurate copy of an article from Spectrum News August 24, 2021, “For de Blasio, it’s a bright new day with Hochul in office” *available at* <https://www.ny1.com/nyc/all-boroughs/politics/2021/08/24/kathy-hochul-bill-de-blasio-twitter-cuomo-antagonism-new-day> (last visited October 4, 2021).
8. Attached hereto as **Exhibit 4** is a true and accurate copy of a New York Times article, “These Health Care Workers Would Rather Get Fired Than Get Vaccinated” *available at* <https://www.nytimes.com/2021/09/26/nyregion/health-workers-vaccination.html> (last visited October 4, 2021).
9. Attached hereto as **Exhibit 5** is an NPR article, “Hochul Says Religious Exemption Not A Legitimate Excuse To Avoid A COVID Vaccine” <https://www.wshu.org/post/hochul-says-religious-exemption-not-legitimate-excuse-avoid-covid-vaccine#stream/o> (last visited October 4, 2021).
10. Attached hereto as **Exhibit 6** is a true and accurate copy of a *New York Post* article, “Teachers union rips City Hall’s COVID preparedness in poll”

<https://nypost.com/2021/09/23/teachers-union-rips-city-halls-covid-preparedness-in-poll/> (last visited October 4, 2021).

11. Attached hereto as **Exhibit 7** is a true and accurate copy of a *Gothamist* article, “City Grants Vaccine Mandate Exemptions For Hundreds Of Public School Employees”, available at <https://nypost.com/2021/09/23/teachers-union-rips-city-halls-covid-preparedness-in-poll/> (last visited October 4, 2021).
12. Attached hereto as **Exhibit 8** is the MLC Lawsuit.
13. Attached hereto as **Exhibit 9** is a Newsday article “Labor arbitrator to host Cuomo fundraiser Tuesday in Sands Point” <https://www.newsday.com/long-island/politics/spin-cycle/labor-arbitrator-to-host-cuomo-fundraiser-tuesday-in-sands-point-1.8103742> (last visited October 4, 2021).
14. Attached hereto as **Exhibit 10**, *New York Post* article, “Labor arbitration head is a de Blasio fundraiser” <https://nypost.com/2013/12/25/labor-arbitration-head-is-a-de-blasio-fundraiser/> (last visited October 4, 2021).
15. Attached hereto is **Exhibit 11**, the UFT Arbitration Award.

Dated: October 4, 2021

Respectfully Submitted,

*Sujata S. Gibson*

Sujata Gibson